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| TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i> | | Application Number | 09/662,405 |
| | | Filing Date | 9/14/2000 |
| | | First Named Inventor | Ismail Eldumiati |
| | | Examiner Name | Pankaj Kumar |
| | | Art Unit | 2631 |
| Total Number of Pages in This Submission | 7 | Attorney Docket Number | 01CON267P |

| ENCLOSURES (check all that apply) | | |
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| <div>Remarks</div> | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--|--|
| Firm or Individual name | Farshad Farjani, Esq., Reg. No. 41,014 Farjani & Farjani, LLP |
| Signature | |
| Date | September 30, 2005 |

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| Type or printed name | Christina Carter | | |
| Signature | | Date | September 30, 2005 |

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| <p>Applicant(s): Eldumiati, et al.</p> <p>Application Serial No.: 09/662,405</p> <p>Filed: September 14, 2000</p> <p>Title: Processing Diagnostic and Identification Data in an Analog Modem System</p> | <p>Group Art Unit: 2631</p> <p>Examiner: Kumar, Pankaj</p> |
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COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir/Madam:

These Comments on Statement of Reasons for Allowance are filed in response to the Notice of Allowance, dated September 12, 2005, in the above-referenced patent application.

The Examiner provides a collective statement of reasons for allowance of claims 30-38 and 40-48, for including the following limitations: "transmitting and receiving during physical handshaking process as claimed."

Applicant respectfully submits that although independent claims 30 and 45 include such limitations, independent claims 34 and 38 do not include such limitations. Applicant would like to clarify that applicant's reference to claims 1 and 30 in support of patentability of independent claims 34 and 38, in response to the final Office Action, is limited to arguments and distinctions made with respect to claim elements that are shared between independent claims 1 and 30, and

independent claims 34 and 38.

In other words, claim 1 includes the following limitations “wherein said identification data are indicative of a manufacturer identity of said first modem and a particular modem version number of said first modem,” and claim 30 includes the following limitations “wherein said first modem manufacture parameters are indicative of a manufacturer identity of said first modem and a particular modem version number of said first modem.”

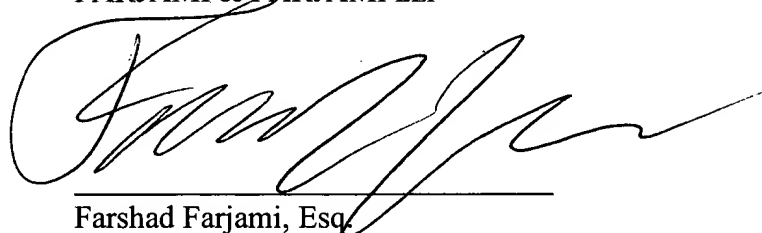
Similar to claims 1 and 30, claims 34 includes the following limitations “wherein said first modem manufacture parameters are indicative of a manufacturer identity of said first modem and a particular modem version number of said first modem,” and claim 38 includes the following limitations “wherein said first modem manufacture parameters are indicative of a manufacturer identity of said first modem and a particular modem version number of said first modem.”

In response to the final Office Action, applicant explained as follows:

Moreover, with respect to rejection of claim 30, Scott merely discloses Modem ID 610 in Fig. 4, and fails to disclose transmitting a first modem manufacturer parameter and receiving a second modem manufacturer parameter. However, the Examiner states that “Challenge 615” in Fig. 4 of Scott discloses “receiving a second modem manufacturer parameter.” Applicant respectfully disagrees. There is no teaching in Scott that “Challenge 615” is a modem manufacturer parameter, which is a predetermined number. In fact, “Challenge 615” is a randomly generated number, whereas “Modem ID 610” is a predetermined number assigned to the originating modem. (Col. 4, lines 41-60.) Accordingly, Challenge 615, which is a random number,” is not and cannot be a modem manufacturer parameter. Notwithstanding the foregoing; however, applicant amended claim 30 for further clarification to state that the first and second modem manufacturer parameters are indicative of a manufacturer identity and a particular modem version number of the first and second modems.

Applicant respectfully submits that independent claims 34 and 38 are patentable for the above reasons stated in conjunction with patentability of claims 1 and 30. Applicant respectfully submits that the Examiner's collective statements of reasons, for allowance of the independent claims, relate to each independent claim to the extent that such independent claim includes the limitations recited by the Examiner in the Notice of Allowance. Applicant respectfully requests a clarification from the Examiner if the Examiner disagrees with applicant's statements.

Respectfully Submitted;
FARJAMI & FARJAMI LLP



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Christina Carter Christina Carter
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